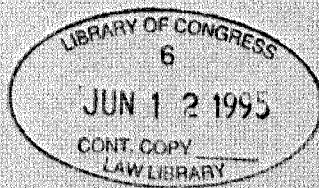


**EX. 12**



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# The Oklahoma Register

Secretary of State  
Office of Administrative Rules

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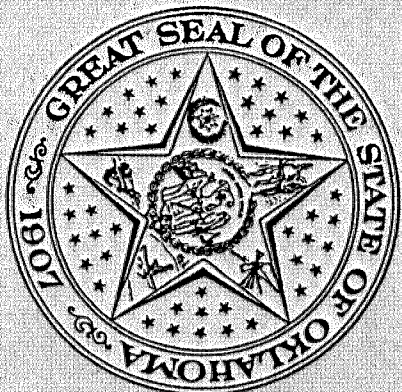
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October 14, 1994	February 15, 1995	June 15, 1995
November 1, 1994	March 1, 1995	June 30, 1995
November 15, 1994	March 15, 1995	July 14, 1995
December 1, 1994	March 31, 1995	August 1, 1995
December 15, 1994	April 14, 1995	August 15, 1995
December 30, 1994	May 1, 1995	September 1, 1995
January 13, 1995	May 15, 1995	September 15, 1995
February 1, 1995	June 1, 1995	September 29, 1995

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TITLE 252. DEPARTMENT OF ENVIRONMENTAL QUALITY  
CHAPTER 100. AIR POLLUTION CONTROL

RULE MAKING ACTION: PERMANENT final adoption.

RULES: 252:100-45-4, Compliance certifications [NEW]; and  
252:100-45-5, Enforcibility [NEW]

AUTHORITY: Environmental Quality Board; 27A O.S. Supp. 1993,  
§§ 2-2-101, 2-5-101 et seq.

DATES:

Comment period: October 6, 1994 through November 30, 1994.

Public hearing: November 30, 1994.

Adoption: November 30, 1994.

Submitted to Governor: December 9, 1994.

Submitted to House: December 9, 1994.

Submitted Senate: December 9, 1994.

Gubernatorial approval: January 23, 1995.

Legislative approval: Failure of the Legislature to disapprove  
the rules resulted in approval on March 29, 1995.

Final adoption: March 29, 1995.

Effective: July 1, 1995.

SUPERSEDED EMERGENCY ACTIONS:

Superseded rules: 252:100-45-4, Compliance certifications [NEW];  
and 252:100-45-5, Enforcibility [NEW].

Gubernatorial approval: January 5, 1995.

Register publication: 12 Ok Reg 743.

Docket number: 95-3.

INCORPORATIONS BY REFERENCE: None

ANALYSIS: The intent of this revision is to correct inadequacies  
in the Oklahoma State Implementation Plan (SIP) as identified by  
EPA. The corrections allow a permitted source to use any credible  
evidence to demonstrate compliance and allow the EPA to use any  
credible evidence to establish violations and enforce the Oklahoma  
SIP. The net result would be an EPA-approvable SIP, as required by  
the 1990 Clean Air Act Amendments.

SUMMARY OF DIFFERENCES FROM ANALOGOUS FEDERAL RULES:

This revision corrects possible differences in interpretation of  
state rules and federal law. The Air Quality Council recommended  
the permanent adoption of this revision at their meeting on October  
11, 1994. The Air Quality Council began receiving comments on this  
new rule on August 8, 1994.

CONTACT PERSON: Mr. Scott Thomas, DEQ Air Quality Division, Suite  
250, Lincoln Plaza Office Complex, 4545 N. Lincoln Blvd. Oklahoma  
City, Oklahoma 73105. (405) 271-5220.

PURSUANT TO THE ACTIONS DESCRIBED HEREIN, THE FOLLOWING RULES ARE  
CONSIDERED FINALLY ADOPTED AS SET FORTH IN 75 O.S., SECTION  
308.1(A), WITH AN EFFECTIVE DATE OF JULY 1, 1995.

CHAPTER 100. AIR POLLUTION CONTROL  
SUBCHAPTER 45. MONITORING OF EMISSIONS

252:100-45-4. Compliance certifications

Notwithstanding any other provision in the State of Oklahoma  
implementation plan approved by the Administrator, for the purpose  
of submission of compliance certifications an owner or operator is  
not prohibited from using monitoring as required under 252:100-8-6  
(a) (3) and incorporated into a federally enforceable operating  
permit in addition to any specified compliance methods.

252:100-45-5. Enforcibility

Notwithstanding any other provision in the State of Oklahoma  
implementation plan approved by the Administrator, any credible  
evidence may be used for the purpose of establishing whether a  
person has violated or is in violation of any such plan.

(1) Information from the use of the following methods is  
presumptively credible evidence of whether a violation has  
occurred at the source:

(A) A monitoring method approved for the source pursuant to  
252:100-8-6 (a) (3) and incorporated in a federally  
enforceable operating permit.

(B) Compliance methods specified in the applicable plan.

(2) The following testing, monitoring or information gathering  
methods are presumptively credible testing, monitoring or  
information gathering methods:

(A) Any federally-enforceable monitoring or testing methods,  
including those in 40 CFR parts 51, 60, 61 and 75.

(B) Other testing, monitoring or information-gathering methods  
that produce information comparable to that produced by any  
method in (1) or (2) (A) of this section.

[Okla. Reg. 95-615; filed April 26, 1995]